IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL

Criminal Misc.Application No. 850 of 2005

KP Singh s/o Late Budh Singh
R/oAmbedkar Nagar Jwalapur
Police Stastion Jwalapur
District Haridwar. . Applicant,.

Versus

1 State of Uttaranchal
2 Smt.Akila w/o Late Yameen
R/oMohalla Kassaban Police
Station Jwaslapur
Distridct Haridwar opposite parties.

Hon'ble B.C.Kandpal, J

By way of this petition under Section 482 Cr.P.C. a prayer has been made for quashing the charge sheet and entire proceedings in case crime No. 513 of 2004, Criminal case No. 5067 of 2005 State versus K P Singh under Section 406 and 420 IPC pending in the court of Chief Judicial Magistrate , Haridwar.

Heard learned counsel for the petitioner, learned AGA and perused the record.

The learned counsel for the petitioner has invited my attention towards Annexure 8 of the petition which is a photo copy of compromise deed and on the basis of annexure 8 it has been submitted that both the parties have entered into compromise and have decided to withdraw the case pending before the court below.

I am not in a position to verify the compromise deed as the parties are not present in person before me. However, in view of the compromise deed, I think , it would be just and proper to issue a direction to the trial court for deciding the case pending before it expeditiously.

I don ot find any justification for quashing the proceedings of the above mentioned case at this stage. The parties are directed to file compromise deed before the trial court and the trial court shall consider the compromise deed filed by the parties at the time of disposal of the case.

However, the trial court shall decide the matter in the light of the compromise deed as well as in accordance with law expeditiously.

With these observations, petition is finally disposed of.

However, in case, if the petitioner applies for bail before the court below, the same should also be decided without any delay.

(B.C. Kandpal, J)

1.12.2005

nbj